

**REAL ESTATE BOARD
MINUTES
FEBRUARY 19, 2009**

PRESENT: Stephen Beers, Dennis Pierce, Peter Sveum, Robert Dueholm, and Kenneth Lee

EXCUSED: Lisabeth Weirich and Ryan Schroeder

STAFF PRESENT: Yolanda McGowan, Bureau Director; Peggy Wichmann, Legal Counsel; and Nicole Goodman, Bureau Assistant

GUESTS: Sonya Mays, Prudential; Randy Krynski, Market Masters Realty; Ralat Janaledin, Prime Estate Reality; Beth Jaworski, Shorewest; Lee Neustedter, Neustedter Realty; Cori Lamont, WRA; Marty Larson, Coldwell Banker Homesale Realty; Kevin King, WRA; Mike Culat, Lakes Area Realtor Association; Patti Zurla, Lakes Area Realtor Association; Pat Tasker, Shorewest Realtors; Sharon Carin, Shorewest Realtors; Jean Abegglen, Jean Abegglen School of Real Estate LLC; Mariz Mikula, 1st Rate Realty; Sherry L. Machesky, R & L CTI; Chris Ruditys, R & L CTI; Fred Storm, Fred W. Storm Brokers LLC d.b.a. Storm Rental Properties; Andrea Nembhard, Andrea Association Real Estate; Howard Minkley, H. Minkley Real Estate; Edward W. Snytric, Realty Executives; Daniel Wankowski; Debra Jochims, Coldwell Banker Homesale Realty; Fred Hofstede, Hofstede Realty; Al Forticamp, Forticamp Realty; Dan Warwick, Coldwell Banker; and Edward E. Lewis

CALL TO ORDER

Peter Sveum, Chair, called the meeting to order at 10:07 a.m. A quorum of five members was present.

ADOPTION OF AGENDA

Amendment to Agenda

- Add "Public Comments" after "Practice Issues"

MOTION: Dennis Pierce moved, seconded by Robert Dueholm, to adopt the agenda as amended. Motion carried unanimously.

APPROVAL OF MINUTES (DECEMBER 4, 2008)

MOTION: Robert Dueholm moved, seconded by Stephen Beers, to approve the minutes of December 4, 2008 as written. Motion carried unanimously.

The Board introduced themselves to the public.

Larry Nelson, Mayor of Waukesha introduced himself to the Board and the public. He thanked the Board for holding the Real Estate Board meeting in Waukesha.

ELECTION OF OFFICERS FOR 2009

The Board voted to keep the same slate of officers with Peter Sveum as Chair, Lisabeth Weirich as Vice Chair, and Dennis Pierce as Secretary.

MOTION: Stephen Beers moved, seconded by Robert Dueholm, to elect Peter Sveum as Chair; Lisabeth Weirich as Vice Chair; and Dennis Pierce as Secretary. Motion carried unanimously.

APPOINT BOARD'S REPRESENTATIVES TO SCREENING PANEL AND LIASIONS BY BOARD CHAIR

Peter Sveum made the following appointments to the Screening Panel:

| Screening Panel Team | Screening Panel Dates |
|------------------------------------|--|
| Stephen Beers and Ryan Schroeder | April 30, July 30, October 29, and February 2010 |
| Lisabeth Weirich and Dennis Pierce | February 19, May 28, August 20, and December 3 |
| Kenneth Lee and Robert Dueholm | March 26, June 25, September 24, January 2010 |

Peter Sveum's Screening Dates: February 19, June 25, September 24, and February 2010.

ADMINISTRATIVE REPORT YOLANDA MCGOWAN, BUREAU DIRECTOR

Secretary Jackson introduced herself to the public.

Yolanda McGowan gave a Power Point presentation that informed the audience of the structure and function of the Department. She also discussed the function of the Board and current issues that the Board is working on.

2009 Meeting and Screening Dates

A copy of the 2009 meeting and screening dates were provided to the Board.

Annual Policy Review with Board

Yolanda McGowan highlighted the policies and procedures of the Department and noted that the Department now has a baggage policy related to fees charged by airlines.

Department Updates

Yolanda McGowan requested that the each Committee member fill out a Board Member Feedback Survey. The Chair will provide a report at the beginning of the next meeting on the results of the survey. She also informed the Board that the Department plans to implement an electronic survey by the end of 2009. It will allow a broader evaluation of all services provided by the Department.

Yolanda McGowan discussed the Staff changes within the Department and other updates.

Summary Reports on Pending Court Cases, Disciplinary Cases and Administrative Rules and Press Releases

None.

PRESENTATION OF PROPOSED STIPULATIONS BY THE DIVISION OF ENFORCEMENT

There were no presentations given on the following Stipulations:

1. Linda S. Matchey 07 REB 062
2. Olivia Martinez 08 REB 008

LEGISLATIVE/ADMINISTRATIVE RULES

Review and Discussion of Rule Draft RL 24 Relating to Conduct and Ethical Practices for Real Estate Licensees

On January 1, 2006, Wisconsin Act 87 became effective which modified the disclosure laws. Peggy Wichmann provided the Board with a rule draft relating to conduct and ethical practices for real estate licensees. She explained that a rule change is necessary to make the rules consistent with Wisconsin Act 87. Peggy Wichmann reported that a few changes will be made to the rule draft.

CREDENTIALING

Update on Collection of E-Mail Addresses

Yolanda McGowan reported that 93% of the total licenses renewed were renewed online, allowing the capture of email addresses.

EXAMINATION, EDUCATION AND EXPERIENCE ISSUES

Discussion Regarding 9 Hour Broker Course

The Board tabled this item until the next meeting.

Board Approved Education and Experience Licensure Initiatives

Peter Sveum briefly reviewed the education and experience initiatives with the Board. Yolanda McGowan informed the board that after the Scope Statement relating to the increase in broker pre-education hours is completed, the rules can be drafted. The Board currently needs to work on the guidelines regarding broker experience. The Chair may appoint a sub committee to come up with recommendations. She also informed the Board that the Secretary is currently exploring post licensure continuing education requirements.

PRACTICE ISSUES

Discussion of Reciprocal Agreements

Yolanda McGowan informed the Board that the state of Wisconsin currently has a reciprocal agreement with Illinois and Indiana. The Board requested that the Department obtain information relating to the criteria for licensure in Oklahoma, provide an analysis and present the information at the next board meeting so that the Board can assure that it is equivalent to Wisconsin.

Licensee use of Addenda Contrary to RL 16.06(4)(a)

Peter Sveum discussed the use of addenda contrary to RL 16.06(4)(a) and notified the Board that this subject will be discussed in greater detail at future meetings.

MISCELLANEOUS CORRESPONDENCE/INFORMATION

Real Estate Forms Update

Peter Sveum informed the Board that the Real Estate Contractual Forms Committee is approximately half way through the Offer to Purchase.

Practice Issues

None.

CONVENE TO CLOSED SESSION

MOTION: Peter Sveum moved, seconded by Dennis Pierce, to convene to Closed Session to deliberate on cases involving hearings (s. 19.85 (11) (a), Stats.); to consider licensure or discipline (s. 19.85(1) (b), Stats. to consider individual histories or disciplinary data (s. 19.85(1) (f), Stats.); and to confer with legal counsel (s. 19.85(1) (g), Stats.). Roll Call Vote: Dennis Pierce-yes; Stephen Beers-yes; Peter Sveum-yes; Robert Dueholm-yes; and Kenneth Lee-yes. Motion carried unanimously.

Open session recessed at 12:00 p.m.

RECONVENE TO OPEN SESSION

MOTION: Robert Dueholm moved, seconded by Stephen Beers, to reconvene into Open Session at 12:30 p.m. Motion carried unanimously.

VOTE ON ITEMS CONSIDERED OR DELIBERATED UPON IN CLOSED SESSION

CASE CLOSINGS

MOTION: Kenneth Lee moved, seconded by Dennis Pierce, to close the following cases as recommended by the Division of Enforcement. Motion carried unanimously.

06 REB 074 for no violation
06 REB 089 for insufficient evidence
06 REB 091 for insufficient evidence
06 REB 110 for no violation
06 REB 206 for prosecutorial discretion (P1)
06 REB 276 for prosecutorial discretion (P2)
07 REB 175 for insufficient evidence
08 REB 008 no violation

STIPULATIONS

MOTION: Dennis Pierce moved, seconded by Kenneth Lee, to adopt the Stipulation, Findings of Fact, Conclusion of Law and Order in the matters of **Linda S. Matchey 07 REB 062 and Olivia Martinez 08 REB 008**. Motion carried unanimously.

PROPOSED DECISION

GREGORY A. SLAYTON AND CAMYA L. GUST LS0806191REB

MOTION: Stephen Beers moved, seconded by Robert Dueholm, to adopt the Proposed Decision in the matter of **Gregory A. Slayton and Camya L. Gust LS0806191REB**. Motion carried unanimously.

DELIBERATION ON ORDER AFFIXING COSTS

STEPHEN J. BODENSCHATZ LS0807292REB

MOTION: Stephen Beers moved, seconded by Dennis Pierce, to approve the order affixing costs for **Stephen J. Bodenschatz LS0807292REB**. Motion carried unanimously.

OTHER BOARD BUSINESS

None.

ADJOURNMENT

MOTION: Stephen Beers moved, seconded by Dennis Pierce, to adjourn the meeting at 12:34 p.m. Motion carried unanimously.